

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

In Re:	§	
SILICA PRODUCTS LIABILITY	§	
LITIGATION	§	MDL Docket No. 1553
	§	
	§	

ORDER NO. 33

IT IS HEREBY ORDERED:

1. Due to the natural disaster caused by Hurricane Katrina, the deadlines stated in Order No. 31 ¶ 5 related to the production of Plaintiffs' prior asbestosis claims and/or asbestosis diagnoses are hereby STAYED until further order of the Court.¹ However, Plaintiffs in Alexander v. Air Liquide America Corp., 2:03-cv-533, continue to be required, no later than September 6, 2005, to amend their Complaint in order to make a complete

¹ Order No. 31 ¶ 5 states, in full:
In Alexander v. Air Liquide America Corp., 2:03-cv-533, all pending motions will be carried forward. As agreed to by Plaintiff's counsel, no later than September 6, 2005, Plaintiffs in Alexander shall file with the document depository and/or x-ray repository all documentation (including but not limited to diagnosing reports and x-rays) related to Plaintiffs' prior asbestosis claims and/or asbestosis diagnoses. Also, no later than September 6, 2005, the Alexander Plaintiffs shall file with the Court a notice certifying that they have complied with this Order. Finally, no later than September 6, 2005, the Alexander Plaintiffs shall amend their Complaint in order to make a complete statement of the basis for federal diversity jurisdiction. Plaintiffs shall specifically allege both the (1) place of incorporation, and (2) the principal place of business, of each corporate Defendant.

statement of the basis for federal diversity jurisdiction.
See Order No. 31 ¶ 5.

2. After consulting with Liaison Counsel during phone conferences on September 2, August 31 and August 30, 2005, the Court finds that the parties are moving with all deliberate speed in attempting to comply with Order No. 31 ¶ 13 (requiring the parties to compile an indexed list of all x-rays in the x-ray repository and/or document depository).² On September 9, 2005 at 1:15 p.m., the Court will conduct a telephone conference with Liaison Counsel concerning the status of the parties' compliance with Order No. 31 ¶ 13.

SIGNED and ENTERED this 2nd day of September, 2005.

A handwritten signature in black ink, reading "Janis Graham Jack", is written over a horizontal line.

Janis Graham Jack
United States District Judge

² Order No. 31 ¶ 13 provides, in full:
Pursuant to an agreement between Liaison Counsel for each side (announced at a hearing conducted at 4:50 p.m. on August 22, 2005), no later than September 2, 2005, the parties shall jointly file with the Court an indexed list of all x-rays in the x-ray repository and/or document depository.